

MAR 25 2010

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

GEORGE FREDERICK DELANEY,) Civil Action No. 7:08-cv-00465
Plaintiff,)
)
v.) **ORDER**
)
JOHN MARSH, M.D.,) By: Hon. Jackson L. Kiser
Defendant.) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that defendant Marsh's motion to dismiss (no. 75) is **DENIED**. Pursuant to the court's standing order dated May 3, 1996, defendant Marsh is directed to **FILE** a motion for summary judgment within sixty days of the date of this order.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff and counsel of record for the defendants.

ENTER: This 25th day of March, 2010.

Jackson L. Kiser
Senior United States District Judge